

Remarks

The Applicants have amended the Specification with respect to paragraph [0045]. Please disregard the previous request to amend dated February 8, 2010. The correct paragraph [0045] is referenced in this Response with the intended amendment.

The Applicants have amended Claim 20 to recite that the cavity is a "tapered cavity." Support may be found in Fig. 5 wherein the widened zone 16 and the narrowed zone 200 collectively form a tapered cavity.

Claims 32 and 33 have been amended to remove "elastic."

Claim 37 has been amended into independent form. It now is the same as amended Claim 20 except for the flexible polymer envelope from Claim 20 now being referred to as a biocompatible fabric envelope as originally recited in Claim 37.

Entry of the above changes into the official file is respectfully requested.

The Specification stands objected to because of confusion between the amendment to paragraph [0045] and paragraph [0042]. The Applicants have, as noted above, made the intended change to paragraph [0045]. Withdrawal of the objection is respectfully requested.

Claim 37 stands rejected under 35 U.S.C. §112 as failing to comply with the written description requirement. The Applicants note the Examiner's helpful comments with respect to some apparent confusion between the polymer envelope and the biocompatible fabric envelope. The Applicants have thus amended Claim 37 into independent form and have removed the reference to the polymer envelope. Disclosure for that structure is also found in paragraph [0030] of the Applicants' specification. Withdrawal of the rejection is respectfully requested.

Claims 32 and 33 stand rejected under U.S.C. §112 as being indefinite. The Applicants have, as noted above, amended Claims 32 and 33 by deleting "elastic." The Applicants

respectfully submit that this cures the indefiniteness issues with respect to both claims. Withdrawal of the rejection is respectfully requested.

Claims 20, 22, 23, 25-29, 31-34 and 38 stand rejected under 35 U.S.C. §103 over the combination of Baumgartner with Jahng. The Applicants note with appreciation the Examiner's detailed comments applying the combination against those claims. The Applicants nonetheless respectfully submit that even if one skilled in the art were to make that combination, the structure resulting from that combination would still be different from those claims. Details follow.

The rejection frankly acknowledges that Jahng fails to disclose that the flexible envelope is a polymer envelope with respect to Claim 20. The Applicants agree. However, the Applicants respectfully submit that Jahng fails to disclose additional aspects of Claim 20. In that regard, the rejection states that Jahng discloses structure that "at least partly receives the cable with a widened zone (opened end of rigid part 9 in Fig. 1) proximal to an end receiving the cable in a narrowed zone (closed end of rigid part 9 Fig. 7) distal to the end receiving the cable."

The Applicants respectfully submit that such an interpretation of the widened zone being an opening and the narrowed zone being a closed end is an improper characterization of ordinarily used terms with their ordinary meaning. Reference to Fig. 7 of Jahng clearly shows a cylindrical shape with an open end and a closed end. There is no change from one "zone" to another with respect to relative width and narrowness. This is because the structure found in Fig. 7 is a cylinder. By definition, a cylinder does not have a narrowed zone and a widened zone. By definition it has a constant diameter. Instead, what Jahng discloses is a cylinder with one open end and one closed end. However, there is no widened zone and no narrowed zone in a cylinder. Any interpretation to the contrary is a complete distortion of the ordinary use of such terms as would be understood by one skilled in the art. On this basis alone, the Applicants respectfully

submit that Jahng is inapplicable and that importing the teachings of Baumgartner into Jahng would not cure this deficiency.

In any event, Claim 20 recites that the cavity having the widened zone and the narrowed zone is a tapered cavity. As noted above, this structure may be seen in Fig. 5 wherein there is a sloped or tapered transition from a wide point to a narrow point with a continuous gradient or slope between the widened zone and the narrowed zone. Thus, Claim 20 now specifically recites that the cavity is a “tapered cavity.”

The Applicants respectfully submit that Jahng does not disclose such a tapered cavity. This is again because the structure of Jahng is a cylinder which creates a cylindrically-shaped cavity. A cylindrically-shaped cavity is mutually exclusive from a tapered cavity. Accordingly, there is simply no way that one skilled in the art could interpret the cylindrical cavity structure of Jahng with the Applicants’ claimed tapered cavity. As a consequence, even if one skilled in the art were to import the teachings of Baumgartner into Jahng, the structure resulting from that combination would still result in a cylindrically shaped cavity as opposed to the Applicants’ claimed tapered cavity. Withdrawal of the rejection is respectfully requested.

Claim 30 stands rejected under 35 U.S.C. §103 under the further combination of Mazel with Baumgartner and Jahng. The Applicants respectfully submit that Mazel fails to provide additional disclosure, teachings or suggestions that would cure the deficiencies set forth above with respect to Baumgartner and Jahng. Withdrawal of the rejection is respectfully requested.

Claim 35 stands rejected under 35 U.S.C. §103 under the further combination of Freudiger with Baumgartner and Jahng. The Applicants respectfully submit that Freudiger fails to provide additional disclosure, teachings or suggestions that would cure the deficiencies set

forth above with respect to Baumgartner and Jahng. Withdrawal of the rejection is respectfully requested.

Claim 36 stands rejected under 35 U.S.C. §103 under the further combination of Sherman with Baumgartner and Jahng. The Applicants respectfully submit that Sherman fails to provide additional disclosure, teachings or suggestions that would cure the deficiencies set forth above with respect to Baumgartner and Jahng. Withdrawal of the rejection is respectfully requested.

Claim 37 stands rejected under 35 U.S.C. §103 under the further combination of Trieu with Baumgartner and Jahng. The Applicants respectfully submit that Trieu fails to provide additional disclosure, teachings or suggestions that would cure the deficiencies set forth above with respect to Baumgartner and Jahng. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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